

REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-5 are pending and stand rejected.

Claims 1 and 5 are independent claims.

Claims 1 and 5 have been amended.

Claims 1-3 and 5 stand rejected under 35 USC 102(b) as being anticipated by Endecott (WO 02/095574). Claim 4 stands rejected under 35 USC 103(a) as being unpatentable over Endecott in view of Ricciulli (USPPA 2004/0202190).

With regard to the rejection of claims 1-3 and 5, applicant respectfully disagrees with and explicitly traverses the rejection of the claims. However, in the interest of advancing the prosecution of this matter, independent claims 1 and 5 have been amended to further recite that the unused bits are related to a path over an interconnection. No new matter has been added. Support for the amendment may be found at least on page 7, lines 26-31.

Endecott discloses a method for reducing the power consumption of a microprocessor system wherein data values within an instruction represent unused bits and values are assigned to the unused bits in such a way as to reduce the Hamming distance between successive data values by a greater extent than setting all of the unused bits to an arbitrary predetermined value. Endecott provides an example of the processing of setting the unused bits to a value in reducing the Hamming distance between successive data instructions on page 4, lines 1-18, wherein the unused bits in instruction B are replaced by bits from corresponding bits in preceding instruction A. Endecott further discloses that unused bits in an instruction may also be replaced by corresponding bits in subsequent instruction C. (see page 8, lines 8-10).

In rejecting the claims, the Office Action refers to the instructions of Endecott as being comparable to the packets of the present invention (see page 3, line 2, OA) and that

Endecott discloses the element "matching said not required bits (unused bits) of said at least one inspected packet with other bits of the same packet (copying/matching bits from preceding or following instructions of words of instructions into instructions unused bits").

However, contrary to the assertions made in the Office Action, the instructions of Endecott are not comparable to the packets claimed. More specifically, the Office Action refers to the instruction grouping on page 3 of Endecott for representing packets. However, these instructions represent different formats of instructions that may be used in a processing system. For example, the first format represents an instruction that may perform an "add" of an immediate value when the "opcode" represents an "add" function and "Immediate 26" represents a value that is to be added. The second format may represent an instruction that performs an "add" function to the contents of "reg1" with the contents of "reg2" and a value represented by "immediate16."

However, these formats are not grouped in a packet in the operation of a computer system executing the instructions. Rather the instructions are independently formed based on a desired sequence of operation and, thus, do not represent packets in the sense recited in the claims.

Even if it could be said that the instructions represent packets, then the instructions would represent packets of size 1 and, hence, would not be comparable to the claim element "wherein each packet comprises a first predetermined number of subsequent words."

Furthermore, assuming that the instructions do represent packets of size 1, then packets of size 1 would create a system that would be able to teach the claim element of "matching said not required bits of said at least one inspected packet with other bits of the same packet." Rather, the system of packet size 1 would replace the unused bits (not required bits) in one packet by bits of another packet (i.e., instructions) in a manner similar to that shown in Figure 2A.

A claim is anticipated if and only if each and every element recited in the claims is found in a single prior art reference.

In this case, Endecott cannot be said to anticipate the subject matter recited in

independent claims 1 and 5 as Endecott fails to disclose at least one material element recited in the claims.

Notwithstanding the arguments made above, independent claims 1 and 5 have been amended to further recite the element that the unused bits are in a header related to a path over an interconnection.

Endecott fails to disclose the instructions including a header related to path. Endecott is silent with regard to a path as Endecott teaches instructions that are provided to a central processor unit for processing.

For at least this reason also, Endecott cannot be said to anticipate the subject matter recited in independent claims 1 and 5 as Endecott fails to disclose at least one material element recited in the claims.

For the amendments made to the claims and for the remarks made herein, applicant submits that the reason for the rejection of the claims has been overcome.

With regard to the rejection of claim 4 as being unpatentable over Endecott in view of Ricciulli, applicant respectfully disagrees with and explicitly traverses the rejection of the claims.

Claim 4 depends from claim 1, which has been shown to include subject matter not disclosed by Endecott, and Ricciulli fails to provide any teaching to correct the deficiency found to exist in Endecott.

A claimed invention is *prima facie* obvious when three basic criteria are met. First, there must be some suggestion or motivation, either in the reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine the teachings therein. Second, there must be a reasonable expectation of success. And, third, the prior art reference or combined references must teach or suggest all the claim limitation.

In this case, the combination of Endecott and Ricciulli fails to disclose a material element recited in the claims and, hence, the combination of Endecott and Ricciulli cannot render obvious the subject matter recited in claim 4.

For the amendments made to the claims and for the remarks made, herein, applicant submits that the reason for the rejection of the claims has been overcome and respectfully requests that the rejection be withdrawn.

Applicant denies any statement, position or averment stated in the Office Action that is not specifically addressed by the foregoing. Any rejection and/or points of argument not addressed are moot in view of the presented arguments and no arguments are waived and none of the statements and/or assertions made in the Office Action are conceded.

For the amendments made to the specification and for the remarks made herein, applicant submits that all the objections and rejections have been overcome and that the claims are in a condition for allowance. It is respectfully requested that a Notice of Allowance be issued.

Should the Examiner believe that the disposition of any issues arising from this response may be best resolved by a telephone call, the Examiner is invited to contact applicant's representative at the telephone number listed below.

Respectfully submitted,
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